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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,230	10/31/2003	Kevin L. Alexander	9196	9148

7590 06/07/2005

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EXAMINER

CARIASO, ALAN B

ART UNIT PAPER NUMBER

2875

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/697,230

Applicant(s)

ALEXANDER, KEVIN L.

Examiner

Alan Cariaso

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19 and 20 is/are allowed.
- 6) ☒ Claim(s) 1, 6, 7, 11, 13, 15 and 17 is/are rejected.
- 7) ☒ Claim(s) 2-5, 8-10, 12, 14, 16 and 18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20031031</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: "coil connector" (of at least in claims 2, 3, 5, 8-10, 12-16, 18 & 19), "spark plug connector" (of at least in claims 2, 3, 5, 8-10, 12-16, 18 & 19), "at least two bends" (claims 6 and 7) and "three bends" (claim 7) should be provided in the specification. In regards to the "coil connector" and the "spark plug connector", if the disclosed coil clip (9) and the spark plug clip (16) are actually the intended claimed "coil connector" and "spark plug connector", respectively, then their relationships referring to equating both terms "connector" and "clip" should be made clear in the specification. However, if the "coil connector" and "spark plug connector" are other than the disclosed coil clip and spark plug clip, then this distinction should be made clear in the specification AND a proper illustration of these coil connector and spark plug connector in the figures must be produced.

Claim Objections

2. Claims 2, 8, 10, 12 are objected to because of the following informalities: Claim 2, line 6, claim 8, line 6, claim 10, line 6, claim 12, line 6, the terms "the said" are redundant. Only one of these terms is required to address the subject "spark plug connector". Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 17, line 2, "said coil boot" has no antecedent basis.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 6 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by KATHRINER (US 2,188,224).

8. KATHRINER discloses a neon light spark plug/coil connector for an engine, comprising a shaped continuous neon light tube (11, figs.1-3, pg.1, col.2, line 10) inherently having a selected color and electrically connected to the spark plug (42-fig.7) (pg.2, col.1, lines 23-26 and 32-36) and the coil of the engine (45-fig.7) (pg.2, col.1, lines 26-31); wherein said neon light tube (11) is configured to define at least two bends comprising three bends (figs.1 & 7 show arrow shape with at least 3 bends) provided in said neon light tube (11).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over TOOKE (US 2003/0146464 A1) in view of KATHRINER (US 2,188,224).

11. TOOKE discloses a neon light spark plug connector (see both figures) for connecting a distributor and a spark plug in a motorcycle engine, said neon light tube connector comprising a continuous neon light tube (figure "exploded view") having a selected color and shaped (text in figure "assembled view") to join the charge source or distributor (paragraph 0004, lines 7-8) and the spark plug (parag.0004, line 8); a distributor connector (right metal crimp directed to the "source of electrical charge" in figure "exploded view") electrically connecting one end (right) of said neon light tube to the distributor (paragraph 0004, lines 7-8); a distributor boot (right "rubber boot" in figure "exploded view") provided on said one end (right) of said neon light tube to the distributor (source of electrical charge); and a spark plug connector (left "metal crimp") provided on the opposite end (left) of said neon light tube from said one end for electrically connecting said opposite end (left) of said neon light tube to the spark plug; a first sleeve (right rubber boot) provided on said one end (right) of said neon light tube for covering (see figure "assembled view) said distributor connector (right metal crimp)

and a second sleeve (left rubber boot) provided on said opposite end (left) of said neon light tube for covering said spark plug connector (left metal crimp).

12. However, TOOKE does not disclose a coil electrically connected to the connector. KATHRINER teaches an ignition coil (45) electrically extending from a distributor (44) electrically connected to a neon tube (11) for the purposes of accumulating charge or being a charge source in charging the spark plug and illuminating the neon tube. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the distributor connected neon lighting assembly of TOOKE to include the type of coil as an extension of the distributor as taught by KATHRINER in order to complete the circuit required to form a charge source accumulating charge from the battery power source with capacitor in charging the spark plug via illuminating the neon tube.

13. Claims 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over TOOKE (US 2003/0146464 A1) in view of KATHRINER (US 2,188,224) as applied to claims 13 and 15 above, and further in view of WOOFER (US 2,665,673).

14. TOOKE modified by KATHRINER above discloses the claimed invention except at least one flexible corrugation provided in said coil boot. WOOFER teaches plural corrugations (12-fig.1, col.3, lines 11-24) on a spark plug boot (10) for the purpose of allowing flexible bending of the boot with wire (7,8) without material interference. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify any of the rubber boots of the connector assembly of TOOKE to

include the type of corrugations as taught by WOOFER in order to allow flexible bending at the boot(s) without material interference, especially useful for essential wiring in compact spaces of an engine.

Allowable Subject Matter

15. Claims 2-5, 8-10, 12, 14, 16 and 18 are objected to as being dependent upon a rejected base claim and having minor informalities, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and correct the minor informalities.

16. Claims 19 and 20 are allowed.

17. The following is a statement of reasons for the indication of allowable subject matter: Claims 2-5, 8-10, 12, 14, 16 and 18-20 have allowable subject matter not suggested by the prior art of record, at least: a coil boot provided on said one end of said neon light tube at the coil for covering said coil connector and a spark plug boot provided at said opposite end of said neon light tube at the spark plug for covering said spark plug connector (claims 2-5,8,9,10,12,14,16,18-20); a first sleeve provided on said one end of said neon light tube under said coil boot for covering said coil connector and a second sleeve provided on said opposite end of said neon light tube under said spark plug boot for covering said spark plug connector (claims 3,5,9,10,12,16,18-20).


Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. SOLLITTO et al (US 6,761,240) show an illuminated motorcycle linkage (fig.1) for aesthetic display, included LEDs that may be replace by a neon tube (col.5, lines 31-42). HANSON (US 3,420,994) shows a neon light tube (19) with at least two bends and electrically connect at opposite ends (51,52) to respective sleeve or boot connectors (15,16,18) which are connected to the spark plug and distributor of an engine. CURRIER (US 2,508,498) shows a neon lamp type indicator (27) electrically connected at its opposite ends to a spark plug (55) and ignition coil (1,2) with distributor (3). GERRY shows illuminating cylindrical glass members (23,25,26,27,21,19) that each contain at least neon gas and are located about wires connected to plural igniters or spark plugs (29) and a distributor (30) of an engine.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan Cariaso whose telephone number is (571) 272-2366. The examiner can normally be reached on 9-5:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alan Cariaso
Primary Examiner
Art Unit 2875

June 2, 2005
AC